UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,108	07/08/2003	Mark Davis	1070P3823	1671

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EXAMINER
TAN, ALVIN H

ART UNIT	PAPER NUMBER
2173	

MAIL DATE	DELIVERY MODE
07/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/616,108	DAVIS, MARK
Office Action Summary	Examiner	Art Unit	
	Alvin H. Tan	2173	.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _14 May 2007_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1,2,4-14,16-22 and 24-28_ is/are pending in the application.

 4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1,2,4-14,16-22 and 24-28_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

 a) ☐ All   b) ☐ Some * c) ☐ None of:

 1. ☐ Certified copies of the priority documents have been received.

 2. ☐ Certified copies of the priority documents have been received in Application No. _____.

 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _2/21/07_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Remarks

1.   Claims 1, 2, 4-14, 16-22, and 24-28 have been examined and rejected. This

Office action is responsive to the amendment filed on 5/14/07, which has been entered

in the above identified application.

Claim Objections

2.   The corrections to claims 4, 5, 16, and 17 have been approved, and the

objections to the claims are withdrawn.

3.   Claims 4, 16, and 24 are objected to because of the following informalities:

a.   On *[line 1]* of claim 4, it appears the applicant has incorrectly set claim 4 to

depend on cancelled claim 3. Examiner assumes claim 4 is meant to be

dependent on claim 1 and it will be treated as such for the remainder of

the Office action.

b.   On *[line 1]* of claim 16, it appears the applicant has incorrectly set claim 16

to depend on cancelled claim 15. Examiner assumes claim 16 is meant to

be dependent on claim 10 and it will be treated as such for the remainder

of the Office action.

c.   On *[line 1]* of claim 24, it appears the applicant has incorrectly set claim 24

to depend on cancelled claim 23. Examiner assumes claim 24 is meant to

be dependent on claim 21 and it will be treated as such for the remainder

of the Office action.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1, 2, 4-14, 16-22, and 24-28 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Vander Veen et al. (US Patent Application Publication #

2003/0228863 A1) in view of Cowart (Mastering Windows 95 – The Windows 95 Bible).

Claims 1, 2, 4-9 (Device)

Claims 21, 22, 24-28 (Method)

5-1.   As to independent claims 1 and 21, Vander Veen et al. teach a device for issuing

commands to a remote system, said device comprising:

- a memory (flash memory 224) for
    - o storing a plurality of translations (on database 406),
        - each translating between a common plurality of functions and custom signals for implementing said common plurality of functions on a respective remote system (i.e. see Table 4);
- a selector for selecting a particular translation of said plurality of translations for a particular remote system (database 406, see [0049]);

- a display screen (display 222) for
    - displaying on-screen icons representing said common plurality of functions (control bar 1506, Fig. 15 and 16)
        - wherein said on-screen icons comprise respective text corresponding to said common plurality of functions (i.e. one of ordinary skill in the art can use text or graphical icons interchangeably for the GUI controls, see [0074]); and
- a processor (microprocessor 238) for
    - responding to a selected on-screen icon associated with a selected common function (see [0079]),
    - obtaining a custom signal from said particular translation corresponding to said selected common function (from database 406) and
    - issuing said custom signal to said particular remote system (i.e. sent as DTMF tones, see [0048]).

Vander Veen et al. but does not expressly teach wherein said display screen is configurable between a first viewable size configuration and a second, larger, viewable size configuration. Cowart teaches wherein said display screen is configurable between a first viewable size configuration and a second, larger, viewable size configuration (by changing the screen resolution of the useable interface area, see p. 355 or by changing the monitor with a different size, see p. 358-359, 'Cowart).

Therefore, it would have been obvious to one of ordinary skill in the art, having the teaching of Vander Veen et al. and Cowart before him at the time the invention was made, to modify the display screen as taught by Vander Veen et al. to include multiple viewable size configurations as taught by Cowart with the motivation being that, "Some jobs ... are much more efficient with more data displayed on the screen," by changing the resolution (see "Desktop Area", p. 355, 'Cowart).

5-2.   As to claims 2 and 22, Vander Veen et al. and Cowart teach a device as

described in Claims 1 and 21, respectively, wherein said particular remote system is a

remote voicemail system (i.e. the message is stored remotely from the device on unified

messaging notification system 312 or 332 of Vander Veen) and wherein said particular

custom signals cause navigation through said remote voicemail system (see Vander

Veen, [0049]).

5-3.   As to claims 4 and 24, Vander Veen et al. in view of Cowart teach a device as

described in Claims 1 and 21, respectively, wherein a first plurality of icons are

displayed on said display screen when in said first viewable size configuration and

wherein a second plurality of icons are displayed on said display screen when in said

second viewable size configuration (i.e. at different resolutions, the objects are smaller,

and therefore different from a first set of objects, see "Desktop Area", p. 355, 'Cowart).

5-4.   As to claims 5 and 25, Vander Veen et al. in view of Cowart teach a device as

described in Claims 4 and 24, respectively, wherein said first plurality of icons

correspond to basic common functions and wherein said second plurality of icons

correspond to extended common functions that include said basic common functions

(i.e. control bar 1506 of Vander Veen at a different size by Cowart).

5-5.   As to claims 6 and 26, Vander Veen et al. and Cowart teach a device as

described in Claims 1 and 22, respectively, wherein said on-screen icons appear as

phone key images, each key image comprising a respective text label that is associated

with a respective common function (control bar 1506, Fig. 15 and 16, also note, one of

ordinary skill in the art can use text or graphical icons interchangeably for the GUI

controls, see Vander Veen, [0074]).

5-6.   As to claim 7, Vander Veen et al. and Cowart teach a device as described in

Claim 1 wherein said selector is a memory cell containing data therein (i.e. database

406 stored on flash memory 224 in Vander Veen).

5-7.   As to claims 8 and 27, Vander Veen et al. and Cowart teach a device as

described in Claims 1 and 22, respectively, wherein said custom signals are dial tone

signals (i.e. DTMF tones, see Vander Veen, [0048]).

5-8.   As to claims 9 and 28, Vander Veen et al. and Cowart teach a device as

described in Claims 1 and 22, respectively, wherein said custom signal corresponding

to said selected custom function is wirelessly communicated (i.e. see Vander Veen,

[0035]) to said remote system (i.e. see Vander Veen, [0044] and [0046]).

Claims 10-14, 16-20

5-9.   As to independent claim 10, Vander Veen et al. teach a device for issuing

commands to a voicemail system, said device comprising:

- a memory (flash memory 224) for
    - o storing a first translation (on database 406)

- between a common plurality of functions and first custom signals for implementing said common plurality of functions on a first voicemail system, said first custom signals for causing voicemail navigation through said first voicemail system (i.e. see Table 4);
- a display screen (display 222) for
  - displaying on-screen icons representing said common plurality of functions (control bar 1506, Fig. 15 and 16)
    - wherein said on-screen icons comprise respective text corresponding to said common plurality of functions (i.e. one of ordinary skill in the art can use text or graphical icons interchangeably for the GUI controls, see [0074]); and
- a processor (microprocessor 238) for
  - responding to a selected on-screen icon associated with a selected common function (see [0079]),
  - obtaining a custom signal from said first translation corresponding to said selected common function (from database 406) and
  - issuing said custom signal to said first voicemail system (i.e. sent as DTMF tones, see [0048]).

Vander Veen et al. does not expressly teach wherein said display screen is configurable between a first viewable size configuration and a second, larger, viewable size configuration. Cowart teaches wherein said display screen is configurable between a first viewable size configuration and a second, larger, viewable size configuration (by changing the screen resolution of the useable interface area, see p. 355 or by changing the monitor with a different size, see p. 358-359, 'Cowart).

Therefore, it would have been obvious to one of ordinary skill in the art, having the teaching of Vander Veen et al. and Cowart before him at the time the invention was made, to modify the display screen as taught by Vander Veen et al. to include multiple viewable size configurations as taught by Cowart with the motivation being that, "Some jobs ... are much more efficient with more data displayed on the screen," by changing the resolution (see "Desktop Area", p. 355, 'Cowart).

5-10. As to claim 11, Vander Veen et al. and Cowart teach a device as described in

Claim 10 wherein said memory further comprises a second translation between said

common plurality of functions and second custom signals for implementing said

common plurality of functions on a second voicemail system, said second custom

signals for causing voicemail navigation through said second voicemail system (i.e. data

base 406 provides different command sets for different voicemail system protocols, see

Vander Veen, [0049]).

5-11. As to claim 12, Vander Veen et al. and Cowart teach a device as described in

Claim 11 wherein said memory further comprises a third translation between said

common plurality of functions and third custom signals for implementing said common

plurality of functions on a third voicemail system, said third custom signals for causing

voicemail navigation through said third voicemail system (i.e. data base 406 sets out

different command sets for different voicemail system protocols, note that this system

limited in number of voicemail systems, see Vander Veen, [0049]).

5-12. As to claim 13, Vander Veen et al. and Cowart teach a device as described in

Claim 11 further comprising a selector for selecting between said first and second

translations of said memory (database 406, see Vander Veen, [0049]).

5-13. As to claim 14, Vander Veen et al. and Cowart teach a device as described in

Claim 12 further comprising a selector for selecting between said first, second and third

translations of said memory (i.e. database 406 hold appropriate information for each voicemail system, see Vander Veen, [0049]).

5-14. As to claim 16, Vander Veen et al. in view of Cowart teach a device as described in Claim 10 wherein a first plurality of icons are displayed on said display screen when in said first viewable size configuration and wherein a second plurality of icons are displayed on said display screen when in said second viewable size configuration (i.e. at different resolutions, the objects are smaller, and therefore different from a first set of objects, see "Desktop Area", p. 355, 'Cowart).

5-15. As to claim 17, Vander Veen et al. in view of Cowart teach a device as described in Claim 16 wherein said first plurality of icons correspond to basic common functions and wherein said second plurality of icons correspond to extended common functions that include said basic common functions (i.e. control bar 1506 of Vander Veen at a different size by Cowart).

5-16. As to claim 18, Vander Veen et al. and Cowart teach a device as described in Claim 10 wherein said on-screen icons appear as phone key images, each key image comprising a respective text label that is associated with a respective common function (control bar 1506, Fig. 15 and 16, also note, one of ordinary skill in the art can use text or graphical icons interchangeably for the GUI controls, see Vander Veen, [0074]).

5-17.   As to claim 19, Vander Veen et al. and Cowart teach a device as described in

Claim 10 wherein said first custom signals are dial tone signals (i.e. DTMF tones, see

Vander Veen, [0048]).

5-18.   As to claim 20, Vander Veen et al. and Cowart teach a device as described in

Claim 19 wherein said custom signal corresponding to said selected custom function is

wirelessly communicated (i.e. see Vander Veen, [0035]) to said first voicemail system

and wherein said first voicemail system is a remote voicemail (i.e. see Vander Veen,

[0044] and [0046]).

Response to Arguments

6.   The Examiner acknowledges the Applicant's amendments to claims 1, 4, 5, 10,

16, 17, and 21 and the cancellation of claims 3, 15, and 23. Regarding independent

claims 1, 10, and 21, the Applicant alleges that Vander Veen et al. (US Patent

Application Publication # 2003/0228863 A1) in view of Cowart (Mastering Windows 95 –

The Windows 95 Bible), as described in the previous Office action, does not explicitly

teach, "a display screen that is configurable between a first viewable size configuration

and a second, larger, viewable size configuration". Contrary to Applicant's arguments,

Cowart teaches that the user can change the screen resolution of the useable interface

area, see p. 355. Changing the resolution of the display screen changes the viewable

size of items being displayed on the screen. A higher resolution makes on-screen

objects smaller. Thus, the display screen is configurable between a first viewable size

configuration and a second, larger, viewable size configuration. It would have been

obvious to one of ordinary skill in the art, having the teaching of Vander Veen et al. and

Cowart before him at the time the invention was made, to modify the display screen as

taught by Vander Veen et al. to include multiple viewable size configurations as taught

by Cowart with the motivation being that, "Some jobs ... are much more efficient with

more data displayed on the screen," by changing the resolution (see "Desktop Area", p.

355, 'Cowart). Consequently, and given the broadest, most reasonable interpretation of

their claim language, Vander Veen and Cowart are considered to teach claims 1, 10,

and 21.

Applicant states that dependent claims 2, 4-9, 11-14, 16-20, 22, and 24-28 recite

all the limitations of the independent claims, and thus, are allowable in view of the

remarks set forth regarding independently amended claims 1, 10, and 21. However, as

discussed above, Vander Veen and Cowart are considered to teach claims 1, 10, and

21, and consequently, claims 2, 4-9, 11-14, 16-20, 22, and 24-28 are rejected.
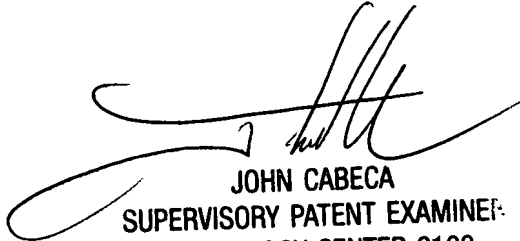

Conclusion

7.   It should be noted that the examiner originally assigned to this case has been

changed.

8.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Alvin H. Tan whose telephone number is 571-272-8595.

The examiner can normally be reached on Mon-Fri 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on 571-272-4048. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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